

Remarks

In response to the office action dated March 6, 2009, imposing a restriction requirement, applicants have amended the claims. In particular, claims 1, 2, 10, and 11 have been cancelled without prejudice; claims 3, 5, and 8 have been amended; and new claim 12 has been introduced. Claim 3 finds descriptive support in the original claims, and claims 5 and 8 have been amended to correct minor informalities. New claim 12 finds descriptive support in original claim 5. Therefore, no new matter has been introduced. Claims 3-9 and 12 remain pending.

Applicants respectfully request withdrawal of the restriction requirement. The claims as presented encompass both of Groups I and II, because the recited compounds use both of the recited mechanisms to treat tumour and non tumours pathologies. This is demonstrated in the examples of the present application for nevirapine and efavirenz. Should the U.S. Patent and Trademark Office refuse to withdraw the restriction requirement, then applicants hereby elect Group II (now presented in claims 3-9 and 12).

In response to the election of species requirement set forth on pages 3-4 of the office action, applicants hereby elect the species efavirenz. Claims reading on efavirenz include claims 3-5, 7-9, and 12. Applicants hereby traverse the election of species requirement on the basis that the species are sufficiently few in number that the presently recited Markush group can be searched and examined without undue burden.

Respectfully submitted,

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